

AMENDED IN ASSEMBLY MAY 31, 2007

AMENDED IN ASSEMBLY MAY 14, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1702

Introduced by Assembly Member Blakeslee

February 23, 2007

An act to add Section 19602.7 to the Government Code, relating to the Department of Transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1702, as amended, Blakeslee. Department of Transportation: employees.

The California Constitution provides that the civil service includes every officer and employee of the state, except as specified. The constitution requires the State Personnel Board to enforce the civil service provisions and to prescribe probationary periods and classifications, adopt other rules authorized by statute, and review disciplinary actions. Existing law authorizes the State Personnel Board to conduct and evaluate demonstration projects relating to improved personnel management, as specified.

This bill would authorize the Department of Transportation to conduct competitive examinations on a position-specific basis for specified managerial classifications as agreed to by the State Personnel Board, as specified. The bill would also make legislative findings and declarations with regard to a related demonstration project.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The State Personnel Board and the Department of Transportation entered into a demonstration project that was designed to study alternative to traditional methods of examining, selecting, appointing, and promoting managerial candidates of the Department of Transportation.

(b) The alternative selection procedures that have been implemented as part of the demonstration project have improved the ability of the Department of Transportation to match candidates to critical managerial positions and have expedited the selection and hiring process.

(c) Based on the success of the demonstration project, it is the intent of the Legislature to make permanent the alternative methods, as utilized in the selection demonstration project, of examining, selecting, appointing, and promoting employees of the Department of Transportation to managerial classifications as agreed to by the State Personnel Board.

(d) Throughout the demonstration project, the Department of Transportation conducted ongoing periodic discussions with representatives of the Professional Engineers in California Government, *which who provided constructive input regarding the execution of the project. These discussions resulted in various improvements to the selection process, including the development of a survey for hiring managers to determine the effectiveness of job candidate matching and satisfaction regarding the process, and developing a brochure to educate employers about the process. The Professional Engineers in California Government also agreed to participate in focus groups to further evaluate the effectiveness of the process.* It is the intent of the Legislature that this cooperative effort continue.

(e) On an annual basis, or more frequently upon mutual agreement of the parties, the ~~Services Service~~ Employees International Union and the Professional Engineers in California Government representing employees in State Bargaining Units 1 and 9 shall continue to have an opportunity to ~~review~~ *comment on* the managerial selection process, as described in Section 19602.7 that is added to the Government Code by this ~~act, with the~~

1 ~~Department of Transportation~~ act. *Nothing in this subdivision shall*
2 *be construed to provide any new examination or hiring-related*
3 *appeal to the managerial selection process in addition to what is*
4 *provided by existing law or regulation.*

5 SEC. 2. Section 19602.7 is added to the Government Code, to
6 read:

7 19602.7. (a) Notwithstanding Section 18900, 18901, 18930,
8 18930.5, 18931, 18933, 18938.5, 18950, 19050, 19054.1, or
9 19057.2, or any other law, but consistent with the merit principles
10 of subdivision (b) of Section 1 of Article VII of the California
11 Constitution, the Department of Transportation appointing authority
12 may conduct examinations and make appointments as specified
13 by this section. The purpose of this section is to provide the
14 Department of Transportation with greater flexibility to match
15 candidates to position-specific vacancies, at the same time resulting
16 in an expedited selection process and cost savings to the
17 department.

18 (b) The Department of Transportation appointing authority may
19 conduct competitive examinations on a position-specific basis for
20 managerial classifications as agreed to by the board in the manner
21 described in Article 8 (commencing with Section 549.90) of
22 Subchapter 4 of Chapter 1 of Division 1 of Title 2 of the California
23 Code of Regulations. The Department of Transportation appointing
24 authority shall rank each examination candidate in the manner
25 specified in Article 4 (commencing with Section 548.30) and
26 Article 5 (commencing with Section 548.40) of Subchapter 2 of
27 Chapter 1 of Division 1 of Title 2 of the California Code of
28 Regulations.